



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
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WASHINGTON, DC 20350-1000

SECNAVINST 5100.13D  
PERS-67  
28 DEC 2005

SECNAV INSTRUCTION 5100.13D

From: Secretary of the Navy

Subj: NAVY AND MARINE CORPS TOBACCO POLICY

Ref: (a) DOD Instruction 1010.15 of 2 Jan 2001  
(b) DOD Directive 1010.10 of 22 Aug 2003  
(c) National Institute for Occupational Safety and Health (NIOSH) Current Intelligence Bulletin (CIB) 54 of Jun 91, Environmental Smoke in the Workplace (NOTAL)  
(d) Environmental Protection Agency (EPA) Report, "Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders," Dec 92 (NOTAL)  
(e) NAVSEA S9510-AB-ATM-010, Nuclear Powered Submarine Atmosphere Control Manual; Volume 1 (U) (NOTAL)  
(f) OPNAVINST 6100.2  
(g) P.L. 104-52 of 19 Nov 95

1. Purpose. To provide revised policy and program guidance per references (a) through (g) for the control and reduction of tobacco use within Department of the Navy (DON). This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 5100.13C.

3. Definitions

a. DON Facility. Any interior space owned, rented, or leased by DON. This includes any Navy or Marine Corps owned/controlled/leased/rented space building, facility, floating unit, aircraft, or vehicle.

b. Environmental Tobacco Smoke (ETS). Also referred to as "secondhand" or "passive" smoke. Exhaled/side streamed smoke emitted from smokers and the burning cigarettes, cigars, and pipe tobacco. A major source of harmful indoor air pollution designated a "Class A" carcinogen by the Environmental Protection Agency (EPA), and known to cause respiratory illness and heart disease per references (c) and (d).

c. Tobacco Use. Includes the use of smoking and smokeless tobacco (e.g., spit, plug, leaf, snuff, dip, chew).

d. Minor. Anyone under 18 years of age.

#### 4. Applicability

a. Applies to all DON military and civilian personnel, including appropriated and non-appropriated fund (APF and NAF) employees, and all DON family members, visitors, volunteers, contractors, and personnel of other agencies and businesses that operate within or visit DON-controlled spaces. Does not cancel or supersede other instructions where smoking is controlled because of fire, explosive, or other safety considerations.

b. Any bargaining obligations must be satisfied prior to implementation of this instruction. Exclusive representatives of bargaining unit employees must be notified and provided an opportunity to bargain when conditions of employment are impacted. Servicing Human Resources Offices (HROs) will provide assistance and guidance. Marine Corps guidance may be obtained from Commandant of the Marine Corps (CMC) (MPO-37).

#### 5. Background

a. Health consequences of tobacco use in all its forms and exposure to ETS by nonsmokers has been clearly documented. Tobacco use is considered the chief preventable cause of premature death and disease in the United States, killing more than 400,000 (19 percent of total deaths) annually. Tobacco use in any form is addictive. Involuntary exposure to tobacco smoke has been shown to cause cancer, lung and heart disease in healthy nonsmokers. Because of these findings, the EPA has classified ETS as a known human lung carcinogen or "Group A" carcinogen under U.S. EPA's Carcinogen Classification System. Mere separation of smokers and nonsmokers within the same airspace may somewhat reduce, but does not eliminate ETS exposure. In DON, it is not feasible to engineer out or provide personal protective equipment sufficient to control exposure to ETS. Health of all personnel must be protected by providing a safe, healthy, and non-polluted workplace.

b. Tobacco use and ETS exposure has an adverse impact upon health and readiness of our forces. Tobacco use adversely

affects night vision, respiratory capacity, wound healing rates, and contributes to risk of cold injuries, including frostbite. Statistically, smokers have higher accident rates than do nonsmokers.

6. Tobacco Use Policy. It is DON policy that smoke-free DON facilities be established to protect all DON civilian and military personnel, and members of the public visiting or using DON facilities from the health hazards caused by exposure to tobacco smoke. DON policy is to reduce tobacco use and protect personnel from involuntary exposure to ETS to the greatest extent possible. Where conflicts arise between the rights of nonsmokers and the rights of smokers, the rights of nonsmokers to a smoke-free airspace shall prevail. DON policy is to provide tobacco users with encouragement and professional assistance to stop. The objective is to establish appropriate environmental protective measures to ensure a safe, healthy, and unpolluted working and living environment. DON approach is designed to improve our overall state of health and our ability to maintain a high state of military readiness. Tobacco use harms readiness by impairing physical fitness and by increasing illness, absenteeism, premature death, and health care costs. Specifically, smoking of tobacco products is prohibited in all DON-controlled spaces except as noted below.

a. Individual Living Quarters Ashore. Smoking is permitted in individually assigned family and bachelor living quarters (BQs), and in Navy Lodge and USMC Temporary Lodging Facility rooms designated for smoking, except when these individual housing units are served by a common heating ventilation air conditioning (HVAC) system. In these instances, commanding officers (CO) must designate sufficient nonsmoking quarters for nonsmoking members to prevent involuntary exposure to ETS. Smoking is not permitted in common spaces of individual living quarters.

b. Multiple Housing Units. Designated smoking areas are authorized in multiple housing units (e.g., family housing apartment complexes, BQs, Navy Lodges, USMC Temporary Lodging Facilities, etc.) as long as the smoking areas are separately ventilated and ventilation exhausts directly outdoors. This determination shall be made by the CO with assistance from the responsible environmental engineer. COs will make every effort to honor smoking preferences in a shared room configuration. A

Certificate of Non-availability (CNA) should be issued rather than requiring a member to share a room with another of a different smoking preference. Smoking is prohibited in common spaces of multiple housing units.

c. Morale, Welfare, and Recreation (MWR) Facilities

(1) Where MWR activities/facilities share the same HVAC systems with housing/BQ units, smoking is prohibited. Where HVAC is separate, smoking is prohibited unless specifically authorized by the CO. The CO should take into consideration the recommendations of the base environmental engineer, whose evaluation should include an examination of the ventilation system plans and a site visit. Effective 7 December 2002 indoor designated smoking areas shall be enclosed and exhausted directly to the outside, located away from air intakes, and maintained under negative pressure sufficient to contain tobacco smoke in the designated area. Selection of the designated smoking area will not be based upon the convenience of smokers, but upon those factors which prevent involuntary exposure to ETS and the pollution of surrounding areas.

(2) Smoking in stand-alone MWR facilities is likewise prohibited unless specifically authorized by the CO, considering the recommendations of the environmental engineer following a review of the ventilation system plans and site visit. Effective 7 December 2002 indoor designated smoking areas shall be enclosed and exhausted directly to the outside, located away from air intakes, and maintained under negative pressure sufficient to contain tobacco smoke in designated areas. Smoking area selection will not be based upon the convenience of smokers, but upon factors which prevent involuntary exposure to ETS and the pollution of surrounding areas.

d. Surface Ships. As safety and operational requirements permit, COs will designate one or more weather deck spaces of surface ships as smoking areas. If weather deck spaces are not available due to ship configuration or operational considerations, the CO may designate one or more normally unmanned spaces within the skin of the ship as smoking areas, provided that the spaces so designated are designed to vent directly to the outside atmosphere. The appropriate environmental engineer will assist the CO in determining spaces aboard ship that do not recirculate tobacco smoke. Designated

smoking areas are not to encourage smoking, but rather to provide a safe location for smokers. Even though they may meet ventilation requirements, the following spaces will not be used as smoking areas: work spaces, watch stations, berthing areas, lounges, messing areas, libraries, ready rooms, exercise areas, medical areas, spaces in which computing and electronics gear is present, and spaces in which smoking is prohibited for other safety considerations.

e. Submarines. Smoking spaces shall be designated aboard submarines following the guidance of reference (e). These spaces must be well ventilated, not in the vicinity of stationary watch stations. Berthing spaces, messes, lounges, and exercise areas shall not be designated as smoking areas. The number of smokers authorized to use a smoking area at one time shall be limited by the clearance capacity of the ventilation system.

f. Outdoor Areas. "Outdoor smoking areas" shall be designated, when possible, which are reasonably accessible to employees and provide a measure of protection from the elements such as existing awnings and covered areas, overhangs of buildings, etc. Since ETS is classified as a "potential Class A" carcinogen, exposure to ETS shall be reduced to the lowest possible concentration. Smoke-break areas only should be outdoors and away from common points of egress/out of the DON facility and not in front of building air intake ducts. The distance from building entry ways/egresses which smokers must maintain is to be determined by the CO. This policy does not require that funds be used to provide sheltered, outdoor smoking areas.

7. Promotional Programs. Navy components shall not participate with manufacturers or distributors of tobacco products in promotional programs, activities, or contests aimed primarily at Navy personnel, except as noted in reference (f).

8. Cigarette Sales to Minors and Sampling of Tobacco Products. Per reference (g), in DON controlled spaces the sale of tobacco products in vending machines is prohibited, tobacco products shall not be sold to minors and distribution of free samples of tobacco products is prohibited.

9. Smokeless Tobacco Policy. Smokeless tobacco is not a safe alternative to smoking. Smokeless tobacco causes oral cancer and is highly addictive. It also damages gums, teeth, and oral soft tissue. Additionally, spitting into open containers, waste baskets, or on the ground presents a potential health risk to others, as saliva is a culture medium for infectious organisms.

a. Use of smokeless tobacco is prohibited during briefings, meetings, classes, formations, inspections, and while on watch.

b. Where smokeless tobacco use is permitted, tobacco spit shall be held in containers with sealing lids to prevent odor and accidental spills. Tobacco spit and residue shall be disposed of in a sanitary manner that prevents public exposure.

c. COs shall ensure their tobacco cessation programs address the use of smokeless tobacco, and ensure restrictions on smoking do not promote increased use of smokeless tobacco or the fundamentally unhealthy practice of swallowing its residue.

10. Professional Assistance. Medical treatment facilities (MTFs) and Fleet and Family Service Centers (FFSCs) shall provide current tobacco use information, cessation encouragement, and professional assistance to those wishing to stop using tobacco. Where professional assistance is not immediately available, or when such assistance is beyond the capability of the facility, referral assistance shall be provided. Care must be taken to encourage tobacco cessation without coercion or pressure on personnel to enter these programs.

11. Action. Chief of Naval Operations (CNO) and Commandant of the Marine Corps (CMC) are responsible for implementing policy and program guidance in this instruction as follows:

a. Commanders, COs, and officers in charge (OICs) shall:

(1) Provide effective smoking cessation at command levels. Due to the addictive nature of tobacco, program emphasis shall be on primary prevention practices that motivate DON personnel not to start smoking by incorporating health consequences of tobacco use into the command training schedule, as well as motivate users to quit smoking. Anti-smoking education messages shall be provided to all personnel.

High-risk personnel, such as those with chronic respiratory and cardiac conditions and those who are part of special occupational groups, such as asbestos workers, shall receive medical counseling about the risks of smoking.

(2) Create, by personal example and command climate, a tobacco cessation program that supports abstinence and discourages use of all tobacco products.

(3) Include the following topics at all command indoctrinations and orientations and during general military training (GMT) for all military and civilian personnel:

(a) Nicotine addiction and its negative impact on readiness.

(b) Health risks of tobacco use.

(c) Health risks posed by involuntary inhalation of ETS.

(d) Availability of assistance to quit tobacco use.

(4) Ensure health care providers at all medical and dental facilities:

(a) Inquire about the patient's tobacco use, including smokeless tobacco products, during the routine physical and dental examination, and advise tobacco users of the risks associated with tobacco use, the health benefits of stopping, and where to obtain assistance in quitting.

(b) Advise all pregnant tobacco users of the health risks to the fetus and where to obtain assistance to stop using tobacco.

(c) Instruct military personnel to refrain from the use of tobacco products while in uniform or in any capacity in which the military member represents the Bureau of Medicine and Surgery (BUMED).

(5) Ensure that military staff members, at initial entry and training programs, do not use tobacco when in the presence of students, recruits, officer candidates, and midshipmen.

b. Commander, Naval Education and Training Command for Navy, and Training and Education Command for Marine Corps are responsible to develop and distribute standardized training materials for GMT.

c. BUMED shall:

(1) Make recommendations to DON regarding health information and training regarding tobacco use and its adverse effects.

(2) Monitor tobacco related medical research, tobacco industry claims and marketing trends, and determine patterns of use in military and civilian populations.

(3) Provide tobacco cessation programs at all MTFs; and

(4) Ensure provisions of paragraph 11a(4) are accomplished.

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